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**APR 27 2007**

**OFFICE OF PETITIONS**

In re Application of :  
Carlyon et al. :  
Application No. 10/698,869 : DECISION ON PETITION  
Filed: 31 October, 2003 :  
Atty Docket No. S-8503(1502-84) :

This is a decision on the petition filed on 7 February, 2007,  
under 37 CFR 1.137(b),<sup>1</sup> to revive the above-identified  
application.

The petition is **GRANTED**.

The application became abandoned on 4 January, 2007, for failure  
to timely pay the issue fee as required by the Notice of  
Allowance and Fee(s) Due mailed on 3 October, 2006, which set a  
three (3) month statutory period for reply. Notice of  
Abandonment was mailed on 29 January, 2007.

This application is being referred to the Publishing Division for  
processing into a patent.

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<sup>1</sup> Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay  
in reply was unintentional, a petition may be filed to revive an abandoned application or a  
lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition filed under the provisions of 37  
CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application  
abandoned for failure to prosecute, the required reply may be met by the filing of a continuing  
application. In a nonprovisional utility or plant application filed on or after June 8, 1995,  
and abandoned for failure to prosecute, the required reply may also be met by the filing of a  
request for continuing examination in compliance with § 1.114. In an application or patent,  
abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply  
must be the payment of the issue fee or any outstanding balance thereof. In an application  
abandoned for failure to pay the publication fee, the required reply must include payment of the  
publication fee.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for  
the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.  
The Commissioner may required additional information where there is a question whether the delay  
was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to  
37 CFR 1.137(c)).

Telephone inquiries concerning this matter may be directed to the undersigned at (571)272-3231.

A handwritten signature in cursive script, appearing to read "D Wood".

Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions